

S.D.N.Y.—N.Y.C.  
12-cv-2303  
Karas, J.

# MANDATE

United States Court of Appeals  
FOR THE  
SECOND CIRCUIT

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At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 3<sup>rd</sup> day of February, two thousand fifteen.

Present:

Peter W. Hall,  
Raymond J. Lohier, Jr.,  
*Circuit Judges,*  
Jeffrey A. Meyer,\*  
*District Judge.*

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**USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: May 01, 2015**

T. E., by her next friend and parent Sherri Eccleston, *et al.*,

*Plaintiffs-Appellees,*

v.

14-4373

Philip G. Steinberg, Superintendent of Pine Bush Central School District, in his official and individual capacities, *et al.*,

*Defendants-Appellants,*

Pine Bush Central School District, *et al.*,

*Defendants.*

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Appellees move to dismiss the appeal. Upon due consideration, it is hereby ORDERED that Appellees' motion is GRANTED and the appeal is DISMISSED. This Court has determined that it lacks jurisdiction over this appeal because a final order has not been issued by the district court as contemplated by 28 U.S.C. § 1291, *see Coopers & Lybrand v. Livesay*, 437 U.S. 463,

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\* Hon. Jeffrey A. Meyer, of the United States District Court for the District of Connecticut, sitting by designation.

MANDATE ISSUED ON 05/01/2015

467 (1978), and the order being appealed does not fall within the collateral order doctrine, *see Bolmer v. Oliveira*, 594 F.3d 134, 140 (2d Cir. 2010); *Stephenson v. Doe*, 332 F.3d 68, 81 (2d Cir. 2003).

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk

The block contains a handwritten signature, "Catherine O'Hagan Wolfe", written in black ink. The signature is positioned over a circular official seal. The seal is red and white, with the words "UNITED STATES" at the top, "SECOND CIRCUIT" in the center, and "COURT OF APPEALS" at the bottom, separated by stars.

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

This block contains a second instance of the handwritten signature "Catherine O'Hagan Wolfe" over the same circular official seal of the United States Court of Appeals, Second Circuit, as seen in the signature block above.